

Legislation Text

File #: 6165, **Version:** 1

CC MEETING: June 6, 2023

DATE: May 22, 2023

TO: Erin Rinehart, City Manager

FROM: Loren Shapiro, AICP, Planning Manager
Marc Guy, Assistant City Manager

Hold A **Public Hearing And Consider An Ordinance Amending The Zoning To Repeal Planned Development District No. 159 (PD-159) For An Approximately 0.63-Acre Tract Located At 2775 East Trinity Mills Road And At The Northwest Corner Of Marsh Lane And East Trinity Mills Road; Amending The Official Zoning Map Accordingly.** Case No. PLZPD 2023-026 Repeal Of Planned Development Number 159.

BACKGROUND:

This is a City-initiated request to reassess the continued appropriateness of Planned Development No. 159 (PD-159). It is part of a regular process of staff assessment of the continued appropriateness of planned development districts and special use permits across the City. The repeal would eliminate PD-159 and retain the base zoning of the (LR-2) Local Retail District.

PD-159 was established on March 5, 2002, by the City Council to allow a reduced rear yard setback (5 feet in lieu of the required 10 feet) for a proposed expansion to a convenience store and gasoline service station. At the time of PD-159's adoption, the City's Zoning Ordinance allowed gasoline service stations by right in the (LR-2) Local Retail District, whereas today it requires City Council approval of a special use permit (SUP).

A freestanding retail building was constructed in 2005, meeting the minimum 10-foot rear yard setback for the base (LR-2) Local Retail District. As a result, a planned development district is not needed on this property.

STAFF RECOMMENDATION/ACTION DESIRED:

On May 4, 2023, the Planning and Zoning Commission recommended **APPROVAL** of the request. The attached ordinance reflects the action of the Commission.

Staff recommends approval and adoption of the ordinance repealing PD-159.